

Applicant : John L. McSheffrey, Jr., et al.
Serial No. : 10/782,288
Filed : February 19, 2004
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Attorney's Docket No.: 04373-032001

Amendments to the Drawings:

The attached drawing replacement sheet includes changes to Fig. 3 and replaces the original sheet including Fig. 3.

In Figure 3, the designator "124" used to identify a set of apertures has been changed to "121".

Attachments following last page of this Amendment:

Replacement Sheet (1 page)
Annotated Sheet Showing Change(s) (1 page)

REMARKS

Claims 17-49 are pending in this application, with claims 17 and 30 being independent. Favorable reconsideration of the action mailed on March 13, 2006 is respectfully requested in view of the following comments of the Applicants, which are preceded by related comments of the Examiner in small bold type:

Election/Restrictions

1. Applicant's election without traverse of claims 17-49 in the reply filed on 2/21/06 is acknowledged. Please note that claims 30-49 are indicated as non-elected as they are directed to an embodiment other than "medical" as defined in Applicant's written Specification.

Applicants have withdrawn claims 30-49.

Oath/Declaration

2. It does not identify the citizenship of each inventor.

Applicants have attached an executed supplemental declaration in which the citizenship of each inventor is identified.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "124" has been used to designate both "apertures" and "oxygen tanks". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Applicants have attached a replacement sheet that included an amended FIG. 3. The designator "124" for the apertures has been amended to "121". As shown above, the paragraph on page 8, line 8 to page 9, line 2 has been amended to reflect this amendment to FIG. 3.

Specification

4. The disclosure is objected to because of the following informalities

5. The phrase "pressured gases that are also monitored by gauges." (page 1, last line) should be deleted since it is repeated on page 2, first line. The phrase "respective gauges 132, 134" should be deleted and replaced by -- respective gauges 134, 132 -- to confirm with the word "respective".

Appropriate correction is required.

As shown above, the first and second lines of page 2 have been deleted. With respect to FIG. 3, Applicants believe the phrase "respective gauges 132, 134" is appropriate.

Claim Objections

6. Claim 20 is objected to because of the following informalities:

The word "configures" (first line of the claim) should be deleted and replaced by -- configured --. Appropriate correction is required.

As suggested by the Examiner, claim 20 has been amended.

The Examiner objected to claims 22, 25-27 and 29 as being dependent upon a rejected base claim. However, the Examiner also stated that the claims would be allowable if rewritten in independent form including all limitations of the respective base claim and any intervening claims. Based upon the Examiner's suggestions, independent claim 17 has been amended to include the subject matter of claim 22.

Based upon amending the independent claim 17, along with canceling claim 22, the Applicants submit that the remaining rejections are rendered moot.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the comments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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In view of the foregoing remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-368-2191.

The required fee of \$510 for the Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 04373-032001.

Respectfully submitted,

Date: Sept. 13, 2006



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